

# CITY OF MUSKEGON

## CITY COMMISSION MEETING

**DECEMBER 13, 2011**

**CITY COMMISSION CHAMBERS @ 5:30 P.M.**

### **MINUTES**

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, Michigan at 5:30 p.m., Tuesday, December 13, 2011.

Mayor Warmington opened the meeting with a prayer from Mr. George Monroe after which the Commission and public recited the Pledge of Allegiance to the Flag.

#### **ROLL CALL FOR THE REGULAR COMMISSION MEETING:**

Present: Mayor Stephen Warmington, Vice Mayor Stephen Gawron, Commissioners Chris Carter, Clara Shepherd, Lawrence Spataro, Sue Wierengo, and Steve Wisneski, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

#### **2011-87 INTRODUCTIONS/PRESENTATION:**

##### **A. New Water Filtration Plant Supervisor, Steve Teunis.**

Mohammed Al-Shatel, Public Works Director, introduced Steve Teunis, the new Water Filtration Plant Supervisor.

#### **2011-88 CONSENT AGENDA:**

##### **A. Approval of Minutes.** CITY CLERK

SUMMARY OF REQUEST: To approve minutes of the City Commission Meeting that was held on Tuesday, November 22, 2011.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

##### **B. 2012 User Fee Update.** FINANCE

SUMMARY OF REQUEST: City departments have reviewed and updated their user fees and these have been incorporated into the Master Fee Resolution for your consideration.

The new fees and fee changes that are being proposed include the following:

- Establishment of new fees to cover costs associated with rental re-inspection “no-shows” and repeated non-compliance inspections;
- Increase in the landlord affidavit filing fee for landlords seeking to have tenants directly responsible for payment of water and sewer bills;
- Modification of some fees related to special events (note: these fees are shown under DPW and under Special Events);
- Changes to Clerk’s fees for gaming licenses, transient businesses/peddlers, encroachments & fireworks.

FINANCIAL IMPACT: Increased revenue for fee supported activities.

BUDGET ACTION REQUIRED: None at this time. Adoption of the Master Fee Resolution will help the City attain its budgeted revenue estimates.

STAFF RECOMMENDATION: Approval.

**C. Request to Deny & Accept Properties That Did Not Sell During the Tax Sale for 2011.** PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The County of Muskegon held two delinquent tax auctions during 2011. There were twenty three properties left after the last auction. According to the State’s new tax laws, the City must state that they are not interested in obtaining them, otherwise the City will automatically receive them. From the list that was provided, there are four houses, one commercial building, and eighteen vacant lots. Community & Neighborhood Services would like to obtain two of the houses and Planning would like to obtain eleven vacant lots with the remaining parcels being denied.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To deny ten parcels and accept thirteen parcels and authorize both the Mayor and the Clerk to sign said resolution.

**D. Deficit Elimination Plan for Home Rehabilitation Fund and State Grants Fund.** FINANCE

SUMMARY OF REQUEST: At June 30, 2011 the City of Muskegon Home Rehabilitation Fund had a deficit balance of \$166,174 and the State Grants Fund had a deficit unassigned balance of \$71,930. Act 275 of the Public Acts of 1980 requires that the City file a Deficit Elimination Plan with the Michigan Department of Treasury. Staff is requesting adoption of the Home Rehabilitation Fund and State Grants Fund Deficit Elimination Plan Resolutions.

FINANCIAL IMPACT: As presented by the Deficit Elimination Plan the Home Rehabilitation Fund and State Grants Fund will no longer have a deficit by June 30, 2013.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Adoption of the Deficit Elimination Plan Resolutions.

**E. Improvement Plan for Hackley Park – Donor.** PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: A potential donor has made a request through the Community Foundation for Muskegon County, to provide funds for improvements to Hackley Park, including a Foundation fund for future park maintenance. Staff has met with the donor, as well as Schultz Transport, Inc., who is designing the improvements. The Master Plan for Hackley Park has been consulted as improvements are being designed. This is an exciting project which will provide for attractive, as well as historic, improvements to the Park, when there are few City funds available. The City has agreed to continue providing water to the Park as part of our responsibility. There will be a marker placed in the park in memory of the donor's husband.

FINANCIAL IMPACT: None for the City. The maintenance fund established through the Community Foundation will pay for future maintenance, as well as replacement, when necessary (with the exception of the water, which the City will provide).

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the general plan for improvements to Hackley Park and the establishment of a maintenance fund through the Community Foundation; and authorize staff to continue coordinating with the Foundation, the donor and Schultz Transport, Inc. on the specific design and improvements to be made. Final improvements must be approved by the Historic District Commission.

**F. Service Agreement with Professional Med Team Inc.** PUBLIC SAFETY

SUMMARY OF REQUEST: To enter into a service agreement (calendar year 2012) with Professional Med Team (Pro-Med) to provide a paramedic for the purpose of performing a blood draw, when needed, of suspected intoxicated drivers. The paramedic will be dispatched directly to the jail to perform the draw. This service will be utilized by all law enforcement agencies within Muskegon County. Pro Med is located within the City.

FINANCIAL IMPACT: The cost to the department will be \$75 per blood draw.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the agreement.

**G. 2012 and 2013 Salary Schedule for Part-Time and Limited-Term Employees and the 2012 and 2013 Salary Schedule and Fringe Benefits for Non-Represented Employees.** CITY MANAGER

SUMMARY OF REQUEST:

- 1) To establish the 2012 and 2013 salary ranges for part-time and limited-term employees.
- 2) To approve and adopt the proposed salary ranges and salary schedules for the non-represented administrative, technical, professional, and supervisory employees for 2012 and 2013 (1.0% increase for 2012 and no increase for 2013).
- 3) Increase the employee health insurance bi-weekly premium co-pay from \$30.00 to 10% of premium cost based on the applicable single, double and family rate (1/1/2012).
- 4) Limit paid leave hours to 240 in computing the final average compensation for an employee (1/1/2012).
- 5) Eliminate overtime hours in computing the final average compensation for an employee (1/1/2013).

**FINANCIAL IMPACT:**

- 1) Minimal. Minor changes are proposed.
- 2) The salary increases will cost approximately \$20,000, plus approximately \$5,000 in added fringe benefit costs.
- 3) City cost savings of approximately \$15,000.
- 4) Unknown reduction in pension costs for City.
- 5) Unknown reduction in pension costs for City.

**BUDGET ACTION REQUIRED:** To authorize the necessary 2011-2012 budgetary amendments and transfer of money from the affected City funds (Contingency Account for General Fund) to the appropriate salary and fringe benefit accounts to accommodate the salary increases and fringe benefit adjustments.

**STAFF RECOMMENDATION:**

- 1) To approve the 2012 and 2013 salary ranges for part-time and limited-term employees.
- 2) To approve and adopt the proposed salary ranges, salary schedules, and fringe benefit changes for non-represented employees for 2012 through 2013.

**Motion by Vice Mayor Gawron, second by Commissioner Wierengo to approve the Consent Agenda as presented.**

**ROLL VOTE: Ayes: Gawron, Shepherd, Spataro, Warmington, Wierengo, Wisneski, and Carter**

**Nays: None**

***MOTION PASSES***

**2011-89 PUBLIC HEARINGS:**

**A. Parks and Recreation Master Plan Amendment.** PLANNING & ECONOMIC DEVELOPMENT

**SUMMARY OF REQUEST:** In order to seek a Michigan Natural Resources

Trust Fund grant for projects, they must be included in the Parks & Recreation Master Plan. Therefore, amendments are recommended for the Consumer's Power site and Sheldon Park. In addition, minor amendments are included for other parks, particularly in relation to ADA requirements.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To adopt the "Muskegon Parks & Recreation Master Plan 2009" Amendments and authorize the Mayor and Clerk to sign any documents necessary related to the amendments.

The Public Hearing opened to hear and consider any comments from the public. No comments were made.

**Motion by Commissioner Carter, second by Commissioner Wisneski to close the Public Hearing and approve the Parks & Recreation Master Plan Amendments.**

**ROLL VOTE: Ayes: Shepherd, Spataro, Warmington, Wierengo, Wisneski, Carter, and Gawron**

**Nays: None**

### ***MOTION PASSES***

### **2011-90 NEW BUSINESS:**

#### **A. Consolidation of Services Plan – EVIP. FINANCE**

SUMMARY OF REQUEST: Under the Economic Vitality Incentive Program (EVIP) adopted by the State earlier this year, the City must meet certain criteria in order to continue receiving statutory revenue sharing funds. The first criterion was to prepare and make available a citizen's guide and performance dashboard by October 1, 2011.

The second criterion the City must meet is to certify to the Michigan Department of Treasury that by January 1, 2012 they have produced and made readily available to the public, a plan with one or more proposals to increase its existing level of cooperation, collaboration, and consolidation, either within the jurisdiction or with other jurisdictions.

The ***Economic Vitality Incentive Program - Consolidation of Services Plan*** is presented for your approval. Once approved, the plan will be submitted to the Michigan Department of Treasury and made available to the public on City's website.

FINANCIAL IMPACT: Failure to submit the plan to the State could result in the loss of \$321,642 – the consolidation of services portion of the EVIP payment.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Commission approval of the plan and authorization for staff to submit the plan to the Michigan Department of Treasury.

**Motion by Commissioner Carter, second by Commissioner Wierengo to approve the Consolidation of Services Plan – EVIP.**

**ROLL VOTE: Ayes: Spataro, Warmington, Wierengo, Wisneski, Carter, Gawron, and Shepherd**

**Nays: None**

***MOTION PASSES***

**B. 2012 National League of Cities Membership Dues. CITY CLERK**

SUMMARY OF REQUEST: The 2012 National League of Cities Membership Renewal Notice has been received.

FINANCIAL IMPACT: \$3,813.

BUDGET ACTION REQUIRED: This has not been budgeted for.

STAFF RECOMMENDATION: None.

**Motion by Commissioner Spataro, second by Commissioner Shepherd to approve the request for the 2012 National League of Cities Membership Dues.**

**ROLL VOTE: Ayes: Warmington, Wierengo, Wisneski, Carter, Gawron, Shepherd, and Spataro**

**Nays: None**

***MOTION PASSES***

**ANY OTHER BUSINESS:**

Mayor Warmington, on behalf of the citizens of the City of Muskegon and City staff, thanked outgoing Commissioners Carter, Shepherd and Wisneski for their leadership and service to our community.

**ADJOURNMENT:** The City Commission Meeting adjourned at 6:00 p.m.

Respectfully submitted,

Ann Marie Cummings, MMC  
City Clerk